



CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 01/24/02

AGENDA ITEM 2

WORK SESSION ITEM

TO: Planning Commission

FROM: Gary Calame, Senior Planner

SUBJECT: Draft City of Hayward General Plan (excluding the Housing Element) and Final Environmental Impact Report

RECOMMENDATION:

It is recommended that the Planning Commission, based on the attached findings, forward the following recommendations to the City Council:

1. Certify that the Environmental Impact Report has been prepared in compliance with the California Environmental Quality Act and City implementing guidelines, adopt the Statement of Overriding Considerations, and approve the Mitigation Monitoring and Reporting Program; and
2. Adopt the Draft City of Hayward General Plan (excluding the Housing Element).

BACKGROUND:

On September 5, 2000, the City Council approved a process for conducting the comprehensive revision of the General Plan. This year-long process has included a series of joint study sessions with the City Council and Planning Commission to discuss identified issues and develop policies and strategies for dealing with those issues. Public workshops were held at key points in the process. The Draft General Plan and the Draft Environmental Impact Report (DEIR) were released for public review and comment on November 20, 2001.

Notice of the completion and availability of both documents was sent to the General Plan mailing list of neighborhood groups and homeowners associations, community organizations, and other interested parties. In addition, both the Draft General Plan and the DEIR have been posted on the city's website at the General Plan Revision homepage. On December 13, 2001, the Planning Commission held a public hearing to provide an opportunity for interested parties to comment on the DEIR. Comments received on the DEIR, and staff responses to those comments, are contained in the Final Environmental Impact Report. Comments received on the Draft General Plan are discussed later in this report.

Separate public hearings will be scheduled on the Housing Element portion (Chapter 5) of the Draft General Plan. The Housing Element was forwarded to the State Department of Housing and Community Development (HCD) for their review as required by state law. Comments were received from HCD on January 7, 2002. The comments are quite extensive and will

require additional staff time to provide responses for further discussions with HCD. HCD has outlined various changes that should be made in order for the Housing Element to be considered in compliance with state law.

DISCUSSION:

The Draft General Plan and the DEIR have been prepared concurrently. In this way, the information generated as part of the updated environmental analysis has assisted in the formulation of the policies and strategies. As a result, the General Plan is essentially "self-mitigating," and the DEIR has found that almost all of the potentially significant impacts can be mitigated through implementation of the proposed policies and strategies and adherence to existing development regulations and practices.

Draft General Plan

The Draft General Plan is organized by chapters, which include background information on the particular subject as well as the policies and strategies discussed by the City Council and Planning Commission. This revision of the General Plan has concentrated on updating the background information and consolidating previously adopted elements. Various elements that were adopted in the 1970s (Noise, Seismic Safety, and Conservation and Environmental Protection) have been updated and incorporated as a single chapter in the revised General Plan. Other elements that have been adopted since the last comprehensive revision in 1986 (Housing, Circulation, and Economic Development) have been updated and incorporated as separate chapters in the revised General Plan. Components of the Growth Management Element adopted in 1993 have been incorporated in the relevant chapters in the revised General Plan.

Policies and strategies are presented at the end of each chapter in the General Plan. Policies and strategies contained in the previously adopted elements have been retained as much as possible. Efforts were made during formulation of the preliminary policies and strategies for discussion at the joint work sessions this past summer to eliminate unnecessary duplication as well as any potential inconsistencies that may have existed among the multiple documents.

Several changes are being proposed to the General Plan Land Use Map. These changes were reviewed with the City Council and Planning Commission at the joint work session on October 30, 2001 (see Exhibit A). Some of the changes are proposed to more accurately reflect existing land use and/or recent development. Other changes are proposed to limit urban development in environmentally sensitive areas, reduce the maximum allowable density of future residential development in hillside areas, or to more accurately reflect the potential for various types of development consistent with the proposed policies and strategies. Any zoning changes that may become necessary due to changes in the land use designations will be processed following adoption of the General Plan. Notice of the proposed changes and this public hearing was published in the Daily Review and mailed to affected property owners, tenants and residents.

Environmental Impact Report

Potentially significant impacts are identified in the Draft Environmental Impact Report (DEIR). A revised summary is included in the Final Environmental Impact Report (see Exhibit B). Potentially significant impacts (denoted "PS" in the table) require the implementation of mitigation measures, or alternatives, or a finding that the measures are infeasible for specific reasons. Some impacts are listed even though they are considered less than significant ("LS"). These effects would not require mitigation, but measures could be applied to further reduce the effect of the implementation of the General Plan. For some of the significant impacts, mitigation measures may not be effective in reducing the impact to a less than significant level. These impacts are designated as Significant Unavoidable ("SU"). For each impact identified as Significant Unavoidable, findings of overriding considerations will need to be made pursuant to provisions of the California Environmental Quality Act (see Exhibit C).

The Significant Unavoidable impacts are related to regional traffic growth and roadway congestion, construction noise, and seismic ground shaking. Even though the General Plan includes programs for the design and construction of roadway, transit, bicycle and pedestrian facilities, as well as land use policies that encourage mixed-use and transit-oriented development to reduce automobile trips, the DEIR concludes that overall growth trends in the region and the limited land area and capital resources for major changes in development patterns are likely to result in increased traffic congestion on several roadways in the planning area. According to the DEIR, noise during construction projects may be unavoidable as a short-term effect that could interfere with the comfort or convenience of those nearby. The DEIR notes that anticipated development assumed by the General Plan could be subject to the risk of damage and injury due to seismic ground shaking. This is an impact that exists throughout the San Francisco Bay Area, and despite best efforts at mitigation, the risk of damage and injury during a large seismic event is unavoidable.

The DEIR also addresses alternatives to the revised General Plan and possible cumulative effects associated with each area of impact. The DEIR determined that the "No Project" alternative, or existing General Plan, is the only other reasonable alternative. The DEIR has found that the revised General Plan is the environmentally preferred alternative, based on the updated policies and strategies and the recommended changes in land use designations. The DEIR has concluded that the cumulative environmental impacts of the revised General Plan would not be substantially different from conditions that would occur with the present General Plan.

All written and oral comments on the DEIR received during the formal 45-day review period have been incorporated in the Final Environmental Impact Report (FEIR). Please refer to Exhibit B. In addition, the FEIR contains written responses to the comments as well as revisions to the DEIR and proposed revisions to the Draft General Plan as appropriate. Also attached as Exhibit D is the Mitigation Monitoring and Reporting Program (MMRP), which describes the implementation of mitigation measures that are required to address the potentially significant impacts identified in the DEIR.

COMMENTS RECEIVED ON THE DRAFT GENERAL PLAN:

Correspondence received on the Draft General Plan as of January 16, 2002, is presented in Exhibit E. Major points of concern raised in these letters, along with staff responses as appropriate, are addressed in the following section.

Child Care Facilities

The Draft General Plan includes a section outlining the need for adequate child care facilities along with a policy and strategies for implementation. The Alameda County Child Care Planning Council has submitted a letter requesting the incorporation of additional language that calls for the development of a child care facilities master plan and the inclusion of more specific strategies.

Historic Preservation

One of the comment letters on the Draft Environmental Impact Report notes the absence of a detailed inventory of historic resources and supports the inclusion of a Historic Preservation Element in the General Plan (see letter from Frank Goulart). Although written responses to the comments made in the letter are contained in the FEIR, it should be noted here that the policies and strategies in the General Plan specifically call for a review of the current historic preservation ordinance and the initiation of a comprehensive survey of historic resources in the community. In addition, ongoing and potential implementation strategies are identified.

Land Use Map Changes

As previously noted, staff is proposing several changes to the General Plan Land Use Map (refer to Exhibit A). Comments have been received from several property owners in Area 6 (refer to Exhibit E). This area is discussed in detail below.

Area 6: East of Mission Boulevard between Calhoun Street and Garin Avenue

Several property owners have expressed concern about proposed changes in this area. The concerns focus on the reduction in permitted densities of residential development and potential impacts on the affected properties. It should be noted that residential densities as defined in the General Plan are expressed in terms of dwelling units per net acre. The net acreage is determined by subtracting the area to be devoted to public and private streets (approximately 25%) from the gross acreage designated for development on the Land Use Map. The gross acreage designated for development may exclude environmentally sensitive or other undevelopable areas and thus may not reflect the total acreage of the parcel. The theoretical housing development potential on a given parcel is calculated by multiplying the net acreage by the number of dwelling units permitted within the density range for the particular land use designation. It is important to remember that the number of dwelling units actually possible may be further limited by the amount of developable acreage after consideration of other factors such as topography, geology, and other development policies contained in the General Plan.

The proposed change in land use designations from Limited Medium Density Residential (8.7-12.0 units/net acre) to Low Density Residential (4.3-8.7 units/net acre) or Suburban Density Residential (1.0-4.3 units/net acre) on certain properties will reduce the permitted density and hence the theoretical maximum number of potential housing units on the affected properties. The actual impacts on individual properties vary depending on the nature of the development projects currently being proposed or contemplated. The city has recently received three applications for development projects within this area. In addition, staff has had recent conversations with other property owners within this area regarding possible development proposals. Impacts on specific areas and individual properties (from north to south) are discussed briefly below (refer to Area 6 maps in Exhibit A).

Upper Calhoun Street Area. This area is proposed to change from Limited Medium Density Residential to Low Density Residential. The Garin parcel (pistol range) is the site of an old quarry. The theoretical maximum development potential for this property under the Low Density designation would be approximately 100 dwelling units. According to the General Plan, typical development in areas with the Low Density Residential designation consists of single-family detached homes on lots of 5,000 square feet or more, although the Planned Development zoning district may allow for departure from the typical pattern to permit consideration of a variety of housing types. Staff would note that multi-family development may not be appropriate within a Planned Development where the underlying zoning districts permit only single-family housing. The Tomanek parcel (across Calhoun Street and below the pistol range) is currently zoned RM (Residential-Medium Density) and would need to be rezoned to RS (Single-Family Residential) to be consistent with the Low Density Residential designation.

La Vista Quarry Area. This area would remain as Limited Medium Density Residential. The La Vista Quarry site is in the county. According to the conditions of approval for extension of the Surface Mining Permit to 2008, the property owners must initiate annexation to the city prior to September 2002. Although no application has been submitted to the City, recent conversations indicate that some housing development is contemplated in the future when quarrying operations cease. Adjoining the La Vista Quarry on the south is a 16-acre parcel, which is within the city limits. One of the owners of this parcel has contacted staff to confirm that no changes are proposed for this property.

Overhill Drive Area. This area is proposed to change from Limited Medium Density Residential to Low Density Residential. The area includes several properties that also have frontage on Mission Boulevard. One of the larger parcels is the site of the Valle Vista Skating Rink. The rear portion of this parcel is currently zoned RMB3.5 and would need to be rezoned to RS under the Low Density designation. The City has recently received an application for a Planned Development on this 5-acre parcel that would include a 200-unit retirement housing complex fronting on Mission Boulevard. This project would require amendment of the Land Use Map from the current designation of Limited Medium Density to High Density Residential. Such a change is beyond the scope of the present environmental analysis and will require further study. However, in view of the proximity of this area to Mission Boulevard, and other policies that encourage medium or higher density residential development along major arterials, it may be appropriate to either retain the existing Limited


Medium Density designation or consider a change to the Medium Density or High Density Residential designations for properties below Overhill Drive. If such a change is to be evaluated, it may also be appropriate to consider changing the land use designations for properties fronting Mission Boulevard in this area from Retail and Office Commercial to Commercial/High Density Residential. This would serve to further encourage housing development within the Mission Boulevard corridor. It should be noted that the High Density Residential designation is being proposed for the Clarendon Hills apartment complex to recognize the density of existing development.

Alquire Parkway/Bodega Road Area. This area is proposed to change from Limited Medium Density Residential to Low Density Residential. The DeSilva (formerly Marcotte) property is the only parcel within this area that is currently within the city limits. The property owners have recently indicated that this parcel, although traversed by the Hayward Fault, could provide access to the northern portion of the adjacent Warren property for a potential housing development in conjunction with development of the La Vista Quarry site. The Warren parcels are outside the existing city limits. An application has been submitted to the city for a Planned Development (Garin Vista) of 101 single-family homes on the southern portion of the Warren property. The overall gross density of the proposed development appears to be within the range allowed by the Low Density Residential designation that covers much of the property, in that the housing units are concentrated in the southern portion of the property with the remainder left in open space. However, the lot sizes are smaller than those typically found in other areas of the city designated as Low Density Residential. According to the General Plan, typical development in areas with the Low Density Residential designation consists of single-family detached homes on lots of 5,000 square feet or more, although the Planned Development zoning district may allow for departure from the typical pattern to permit consideration of a variety of housing types. Appropriateness of the Planned Development approach depends on factors such as the contour of the land, natural hazards and other site constraints, as well as the extent to which the project incorporates creative design concepts. Staff is concerned that single-family homes on small lots in hillside areas may not be consistent with the Hillside Design Guidelines and related policies addressing clustering of development and retention of the natural topography. In addition, staff is concerned that multi-family development may not be appropriate within a Planned Development where the underlying zoning districts permit only single-family housing. Access to the development is proposed from Garin Avenue through the adjoining McKenzie and Clearbrook Partnership parcels. An application has recently been submitted to the city for a similar housing development on the McKenzie property, which is also in the county. It is envisioned that water service to this area would be provided through extension of the Garin Reservoir system.

Upper Garin Avenue. The proposed change is from Limited Medium Density Residential to Suburban Density Residential for properties within the Clearbrook Highlands subdivision and the Garin Crest subdivision, which reflects the density of these developments. The Limited Medium Density Residential designation would be retained for the Oak Hills apartment complex, as well as the undeveloped Clearbrook Partnership parcel fronting on Garin Avenue.


In conclusion, as noted above, much of Area 6 is outside the city limits and will need to be annexed to Hayward prior to any development. Applications for annexation must be submitted to and approved by the Alameda County Local Agency Formation Commission (LAFCO). The Alameda County LAFCO has adopted guidelines, consistent with requirements of state law, for processing annexation applications. One of the prerequisites for annexation is the adoption of rezoning by the city for the subject properties. Another prerequisite is the preparation of a Plan for the Provision of Municipal Services. As noted above, plans for the provision of water service to much of this area are still being evaluated. There are also issues regarding the overall circulation pattern, traffic impacts, and the most appropriate access to some of these properties. In addition, it appears that further discussion is needed regarding the type of development that is appropriate in hillside areas, given geotechnical and other site constraints. In view of the recent development activity and interest in this area, much of which is outside the city limits, and the concerns noted above, it may be appropriate to undertake a more comprehensive study of this area. Such a study could allow for greater coordination of annexation applications, the efficient provision of utilities and services, consideration of circulation patterns and access issues, and discussion of other issues related to the types of development that are appropriate in hillside areas.

Prepared by:



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Approved by:



Dyana Anderly, AICP
Planning Manager

Attachments:

- Exhibit A. Proposed Changes to the General Plan Land Use Map
- Exhibit B. Final Environmental Impact Report
- Exhibit C. Findings and Statement of Overriding Considerations
- Exhibit D. Mitigation Monitoring and Reporting Program
- Exhibit E. Correspondence on the Draft General Plan (as of January 16, 2002)

Note: The Draft General Plan and Draft Environmental Impact Report were previously distributed to the Planning Commission.

PROPOSED CHANGES TO THE GENERAL PLAN LAND USE MAP

The General Plan Land Use Map is a visual representation of the written policies and strategies contained in the General Plan. Proposed changes are shown on the General Plan Land Use Map contained in the Draft General Plan. The proposed changes are intended to more accurately reflect existing land use or approved developments, or to more accurately reflect the future development potential in selected areas. Each of the proposed changes is described below. Property owners within each area of proposed change, as well as property owners and residents within 300' of the proposed change, have received a detailed map showing the proposed change in land use designation.

Area 1. *Bidwell Elementary School.* The proposed change is from Open Space/Parks and Recreation to Public/Quasi-Public. This designation recognizes the reopening of the school for educational purposes.

Area 2. *Mission Hills of Hayward Golf Course.* The proposed change is from Low Density Residential to Open Space/Parks and Recreation. This designation recognizes acreage initially approved for housing as part of the Twin Bridges development that subsequently became part of the new golf course.

Area 3. *Blue Rock Country Club.* The proposed change is from Low Density Residential to Public/Quasi-Public and Open Space/Parks and Recreation. This designation reflects the site for the proposed elementary school and neighborhood park stipulated in the approved development agreement.

Area 4. *Winton Avenue east of Amador Street.* The proposed changes are from Retail and Office Commercial to High Density Residential on the north side of Winton Avenue, and from General Commercial to Retail and Office Commercial on the south side of Winton Avenue. These designations more accurately reflect the recent development of Amador Village and the Alameda County Office Building, respectively.

Area 5. *Mission Boulevard at Lafayette Avenue (northwest quadrant).* The proposed change is from Retail and Office Commercial to Commercial/High Density Residential. This change would allow for future consideration of residential uses as well as commercial uses. This designation more accurately reflects policies that encourage mixed-use development along major arterials.

Area 6. *East of Mission Boulevard (between Calhoun Street and Garin Avenue).* The proposed change is from Limited Medium Density Residential to Suburban Density Residential, Low Density Residential, or High Density Residential. Densities of existing residential development are recognized. The densities of recently approved developments are generally within the Suburban Density or Low Density range. This area consists of hilly terrain and is traversed by the Hayward Fault. The proposed designations more accurately reflect the potential for future development, as well as policies that encourage larger lot sizes bordering permanent open space such as Garin Regional Park.

Area 7. *Mission Boulevard (between Berry Avenue and Sycamore/Highland).* The proposed change is from Commercial/High Density Residential to General Commercial. This designation reflects policies that encourage concentration of new car dealerships within Auto Row. To ensure that an adequate supply of land is available, further residential development should not be encouraged along this portion of Mission Boulevard.

Area 8. *Route 92/Breakwater Avenue (west of Whitesell Street).* The proposed change is from Industrial Corridor to Open Space/Baylands. These two parcels consist of seasonal wetlands and upland habitat. This change in designation recognizes the unlikelihood of urban development in this location as well as the potential for habitat enhancement as envisioned in the Hayward Area Shoreline Plan. The proposed revision includes adjustment of the Urban Limit Line to reflect the above change.

Attachments: Area Maps of Proposed Changes

General Plan Land Use Map Proposed Changes



PQP

BART

Area 1 - Bidwell Elementary School

**From: Open Space-Parks and Recreation
To: Public/Quasi-Public**

General Plan Land Use Map

Proposed Changes



Mission Blvd

Dixon St

Industrial Pky

PR

Arrowhead Way

Bridgewater

Bridgehead Ln

Bridgeview Way

Bridgecreek Way

BART

Brookside Ln

Brookhaven Ct

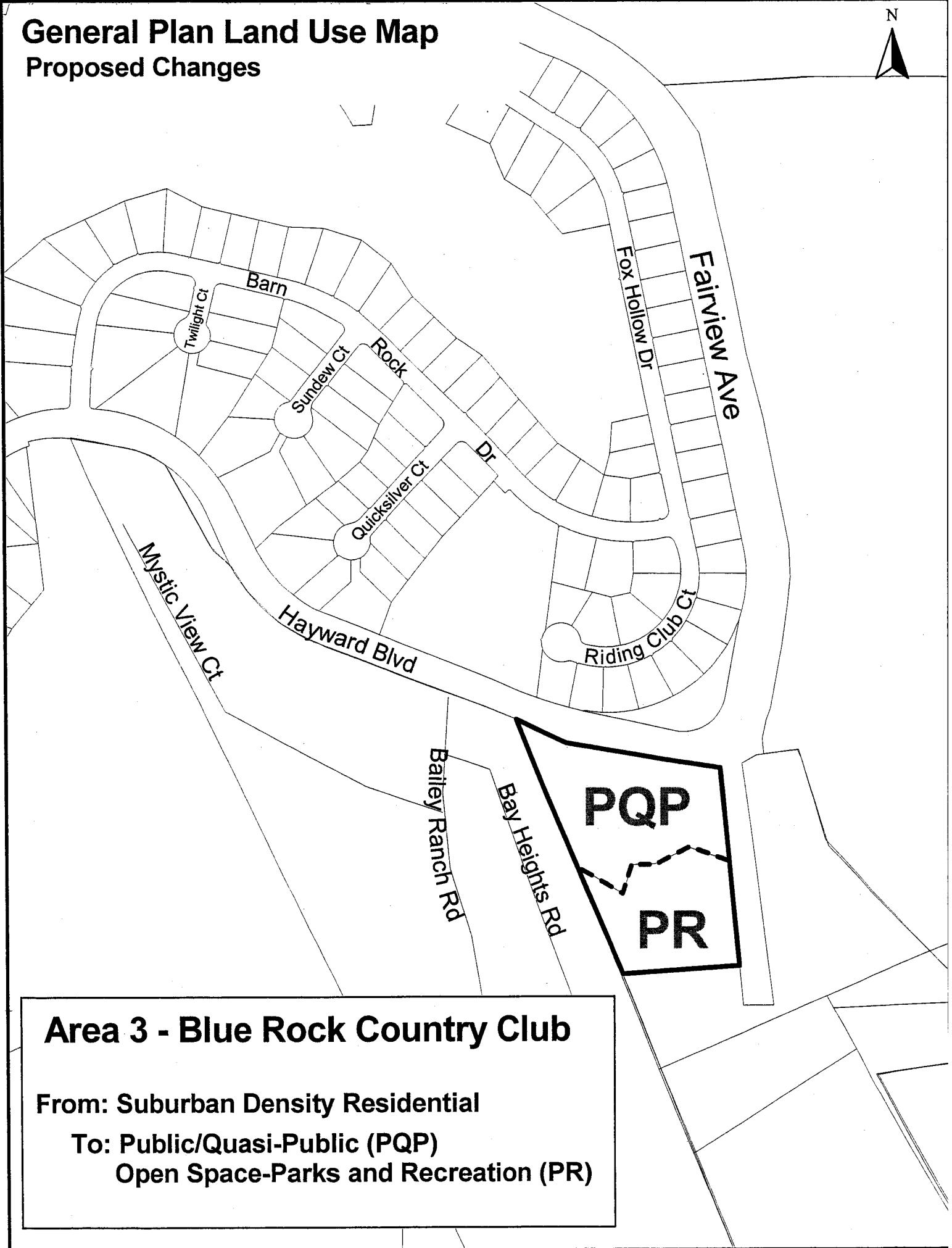
**Area 2 - Mission Hills of Hayward
Golf Course**

From: Low Density Residential

To: Open Space-Parks and Recreation (PR)

General Plan Land Use Map

Proposed Changes



Area 3 - Blue Rock Country Club

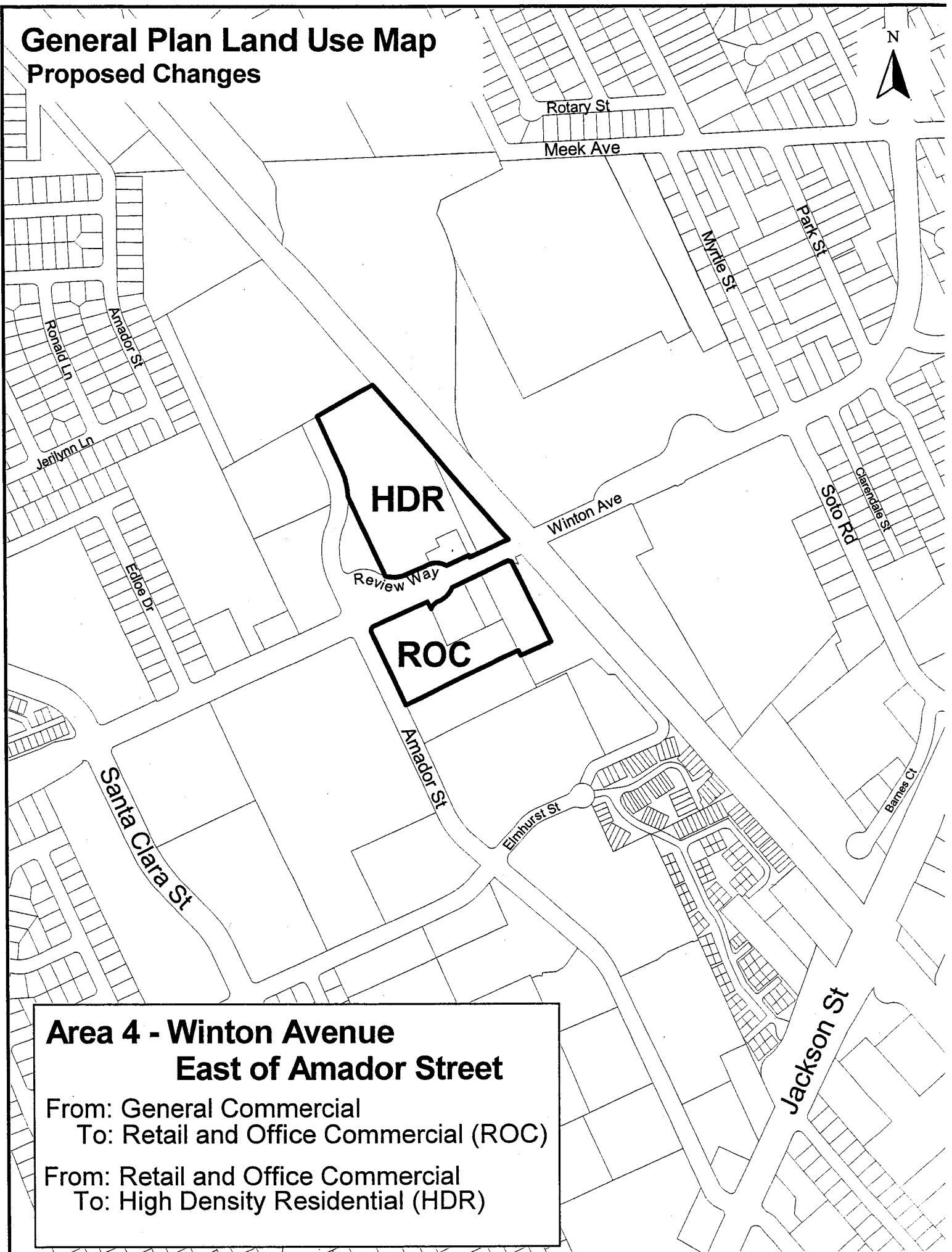
From: Suburban Density Residential

To: Public/Quasi-Public (PQP)

Open Space-Parks and Recreation (PR)

General Plan Land Use Map

Proposed Changes



Area 4 - Winton Avenue East of Amador Street

From: General Commercial
To: Retail and Office Commercial (ROC)

From: Retail and Office Commercial
To: High Density Residential (HDR)

General Plan Land Use Map

Proposed Changes



Cornell Ave

Lexington Ave

Mission Blvd

CHDR

Lexington Ave

Pulaski Dr

Lafayette Ave

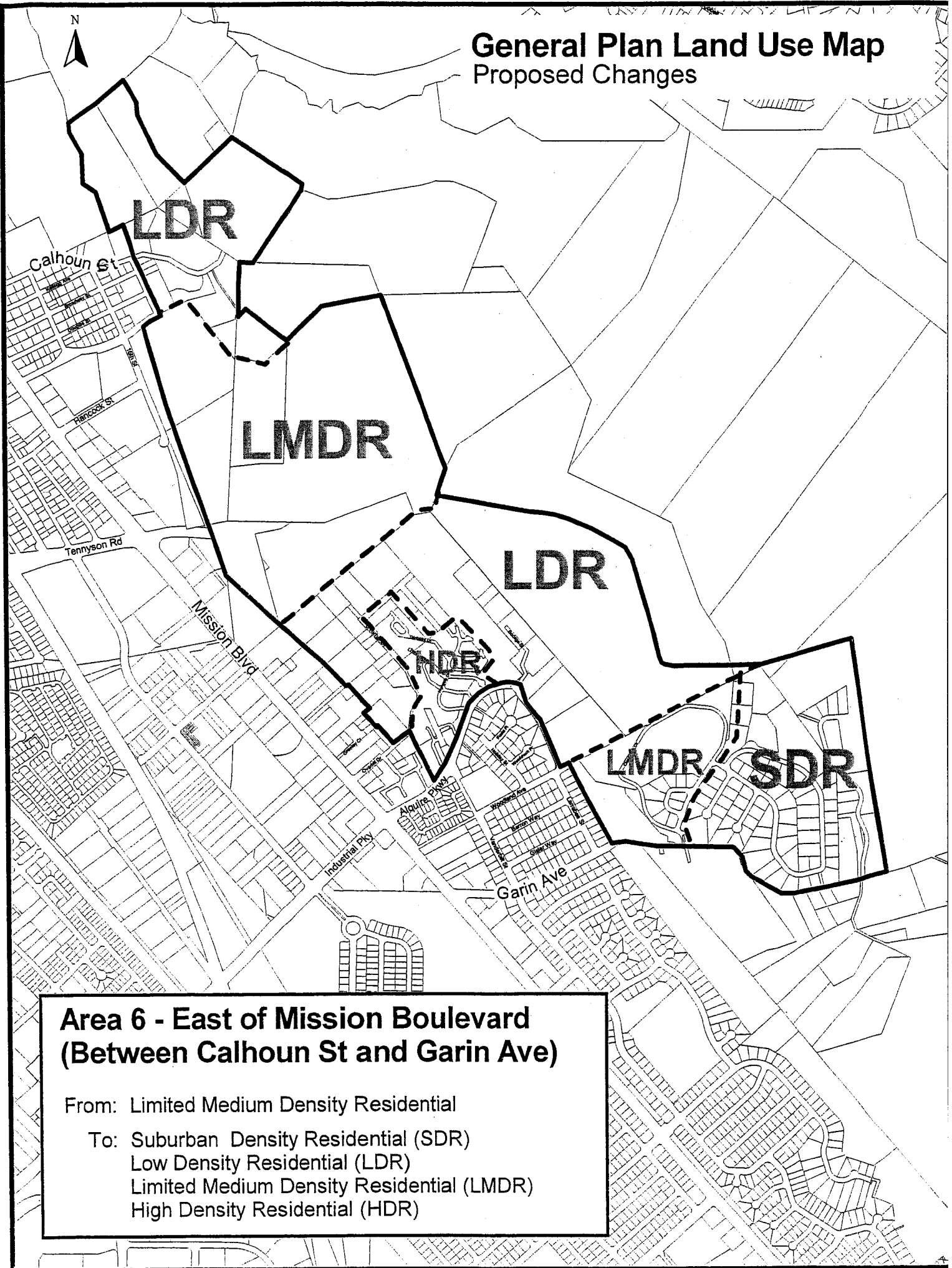
Area 5 - Mission Boulevard at Lafayette Avenue

From: Retail and Office Commercial

To: Commercial/High Density Residential (CHDR)

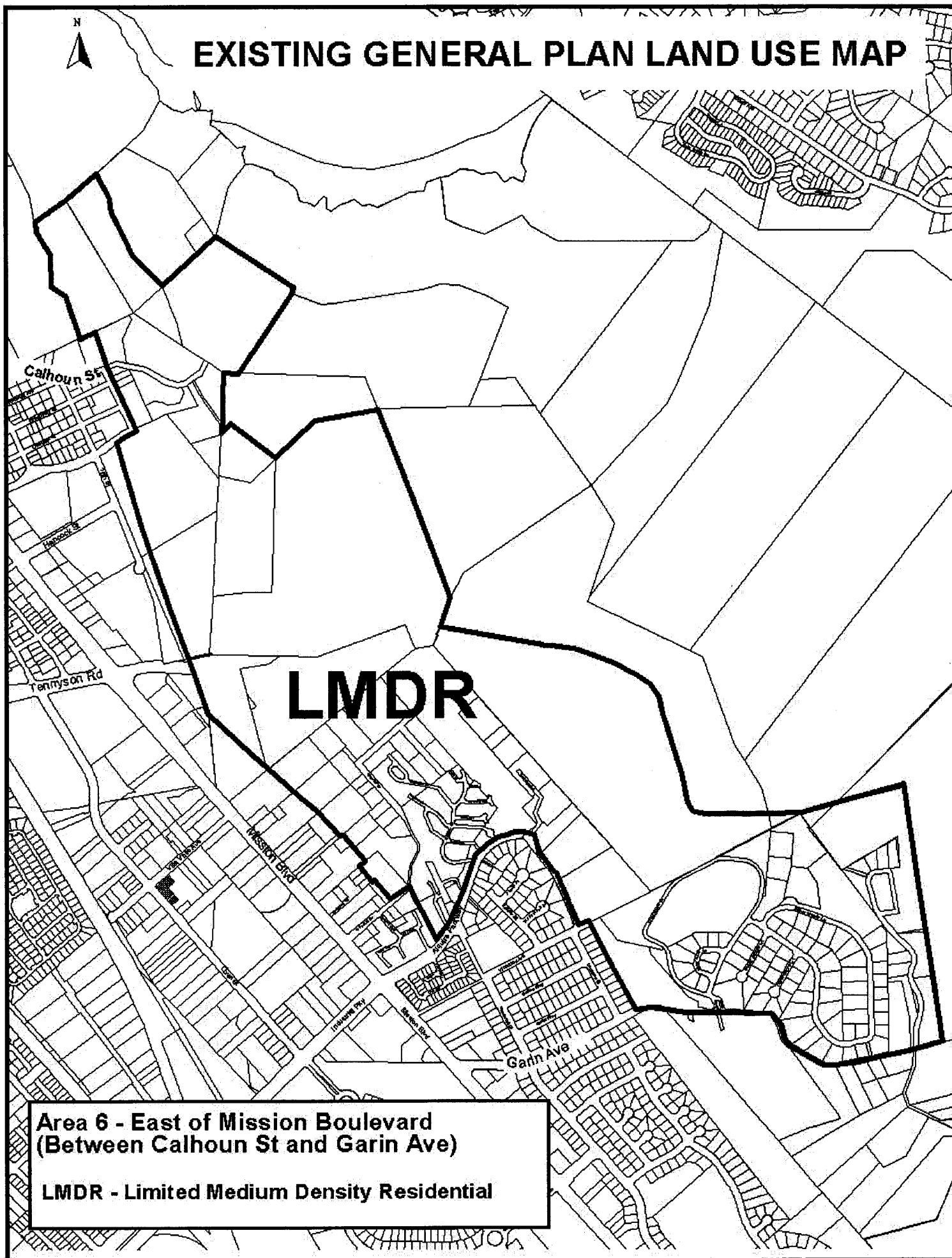
General Plan Land Use Map

Proposed Changes





EXISTING GENERAL PLAN LAND USE MAP



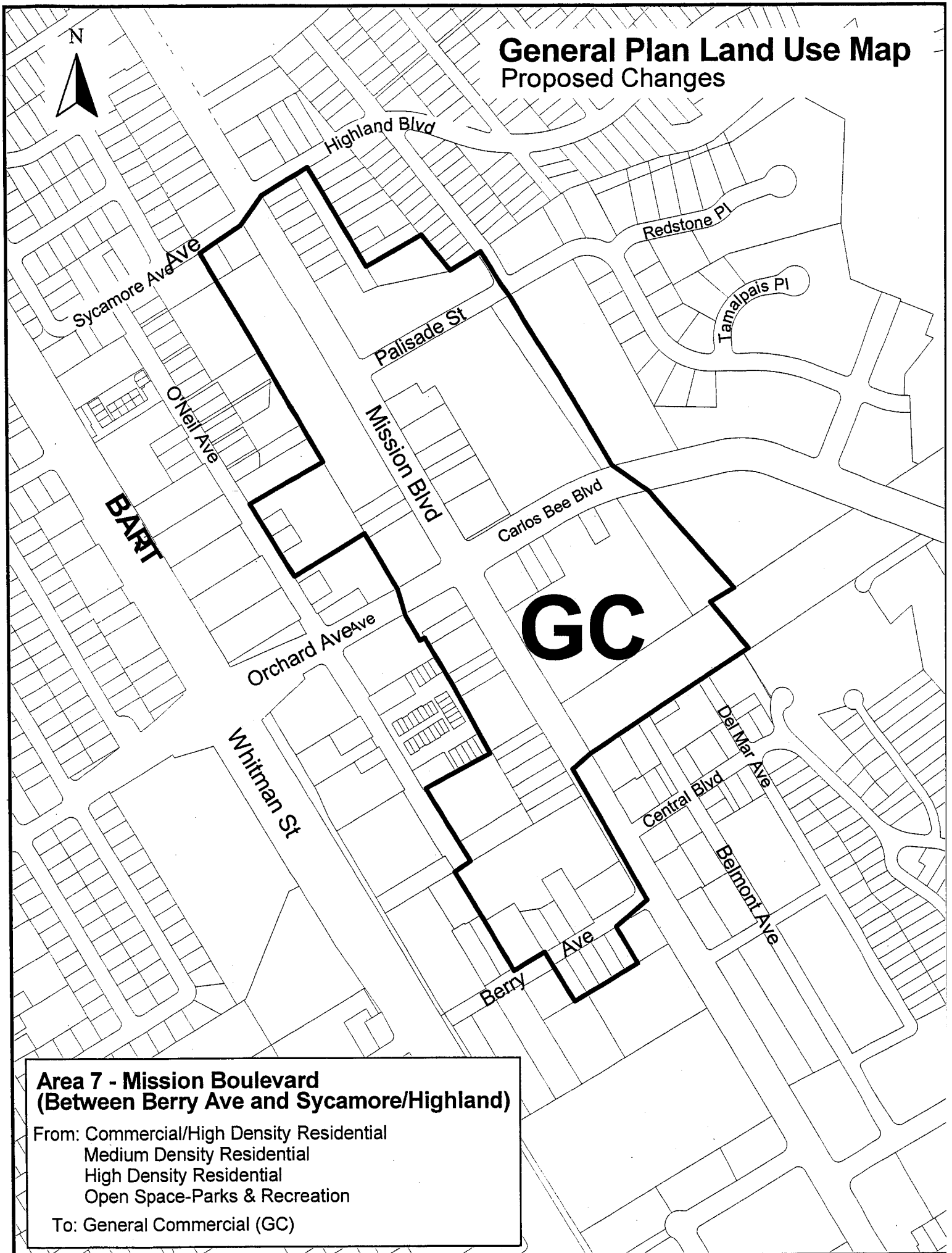
**Area 6 - East of Mission Boulevard
(Between Calhoun St and Garin Ave)**

LMDR - Limited Medium Density Residential

Unincorporated Alameda County

General Plan Land Use Map

Proposed Changes



Area 7 - Mission Boulevard (Between Berry Ave and Sycamore/Highland)

From: Commercial/High Density Residential
Medium Density Residential
High Density Residential
Open Space-Parks & Recreation

To: General Commercial (GC)

General Plan Land Use Map

Proposed Changes



Enterprise Ave

Seaboard Ln

Nickel Pl

Whitesell St

Bay Center Pl

BL

Breakwater Ave

Point Eden Way

Research Rd

Route 92

**Area 8 - Route 92/Breakwater Ave.
(West of Whitesell St.)**

From: Industrial Corridor
To: Baylands (BL)

FINDINGS

relating to Certification of the Environmental Impact Report
and adoption of the General Plan

Environmental Impact Report

1. The Environmental Impact Report was prepared pursuant to the California Environmental Quality Act and City implementing guidelines;
2. The Notice of Preparation was distributed to appropriate agencies and the general public for review and comment on July 13, 2001;
3. The Draft Environmental Impact Report was distributed to appropriate agencies and the general public for review and comment on November 21, 2001;
4. The Final Environmental Impact Report incorporates written responses to all comments received on the Draft Environmental Impact Report and revisions to the DEIR as appropriate;
5. The Mitigation Monitoring and Reporting Program addresses potentially significant impacts and the implementation of mitigation measures that will reduce those impacts to less than significant levels;
6. The Statement of Overriding Considerations addresses unavoidable significant impacts as identified in the Environmental Impact Report and the overriding benefits to the City.

General Plan

1. The General Plan has been prepared pursuant to guidelines established by the Governor's Office of Planning and Research;
2. The General Plan contains all of the elements mandated by the State Government Code;
3. The Housing Element was submitted to the State Department of Housing and Community Development for the required 60-day review;
4. The General Plan has been prepared through a year-long process with opportunities for public participation at key points in the process;
5. The General Plan promotes the health, safety and general welfare of the citizenry of Hayward.

STATEMENT OF OVERRIDING CONSIDERATIONS

addressing Significant Unavoidable Impacts identified in
the Final Environmental Impact Report
on the City of Hayward General Plan

The City of Hayward adopts and makes this statement of overriding considerations concerning adoption of the General Plan and the resulting unavoidable significant impacts to explain why the benefits of implementing the General Plan override and outweigh its unavoidable impacts.

The Environmental Impact Report on the General Plan has concluded that certain impacts are potentially significant, and possibly unavoidable, because the programmatic character of the General Plan and the analytical limitations of the Program Environmental Impact Report cannot determine with certainty that impacts would be mitigated in each case. These impacts are summarized below.

Regional Traffic Growth and Roadway Congestion (Impact 6.1). Numerous roadway intersections are expected to deteriorate to Level of Service E or F as a result of continued development allowed by the General Plan. However, the deterioration in level of service is based on projected regional as well as local growth. Regional through traffic accounts for 25 to 30 percent of the peak hour trips on some major arterials. This impact is likely to remain significant despite the implementation of reasonably foreseeable mitigation measures funded as part of regional efforts to improve the overall transportation system. The General Plan includes programs for the design and construction of roadway, transit, bicycle and pedestrian facilities, and the land use policies encourage mixed use and transit-oriented development to reduce automobile trips; however, the overall growth trends in the region and the limited land area and capital resources for major changes in development patterns in the city are likely to result in on-going traffic congestion on several roadways in the city and vicinity.

Construction Noise (Impact 7.1). Construction within the city in accordance with development allowed by the General Plan could result in a temporary increase in existing noise levels that would be noticeable and significant, and could exceed established noise level standards. This impact may be unavoidable as a short-term effect that could interfere with the comfort or convenience of nearby sensitive receptors. With mitigation, this impact could be reduced to a less than significant level; however, timing work for daytime hours may not always be feasible for infrastructure projects that require minimal interruption of through traffic, and are thus conducted at night. Therefore, it is likely that some noise impacts will be short-term, significant and unavoidable for receptors closest to the construction activity, regardless of attempts at timing or other methods of minimizing noise exposure.

Seismic Ground Shaking (Impact 9.2). This is an unavoidable impact in the San Francisco Bay area. Strong and very strong ground shaking is expected to occur within the city during the 25-year implementation period in the event of a major earthquake on the regional fault system, including the Hayward Fault. Such ground shaking is expected to cause severe damage to (or collapse of) buildings or other structures, and may result in significant economic loss and/or endanger the health and welfare of persons within the city. This represents a potentially significant impact due to the extent of existing development in areas subject to strong seismic shaking. New development would be designed and constructed in accordance with building code requirements to avoid or minimize potential damage from seismic shaking. As a result, new development and redevelopment of existing structures may increase the likelihood of survival and, to some extent, mitigate existing hazardous conditions. Although new development projects would be required to avoid surface fault rupture hazards and comply with applicable building codes, and the General Plan includes other policies and strategies that reflect the current state of knowledge with respect to the Hayward Fault and other local faults, the risk of damage and injury during a large seismic event is unavoidable.

Adoption and implementation of the General Plan will bring substantial benefits to the City of Hayward. The revised General Plan is being proposed, despite the potential for these unavoidable significant impacts, because the City believes the updated General Plan does not substantially increase the impacts compared to the existing trends and will provide more coordinated guidance in addressing impacts of new development and redevelopment within the urban area. In addition, the implementation of the proposed General Plan policies and strategies could alleviate some environmental effects that are not otherwise addressed in routine land use planning or through the separate General Plan elements as they have evolved over the past 25 years. Therefore, the City of Hayward finds that the unavoidable impacts associated with adoption of the General Plan are acceptable in light of the above benefits.

City of Hayward General Plan Update
Mitigation Monitoring and Reporting Program
January 2002

**City of Hayward General Plan Update
Mitigation Monitoring and Reporting Program
January 2002**

Potential Environmental Impact	Adopted Mitigation Measure	Implementation	Monitoring	Reporting
Land Use and Planning				
4.1: Adoption and implementation of the General Plan Update would by definition be consistent with adopted City plans, as it would establish the overall "constitution" for development in the City for the next 20 years.	4.1: None Required.	None Required	None Required	None Required
4.2: Implementation of the General Plan Update could result in increased density and changes in land use that could result in incompatibilities with existing land uses.	4.2: The City of Hayward should evaluate new land uses for site specific impacts to established land uses in the surrounding area, according to standard Conditional Use Permit, Variance, and Site Plan review procedures, to determine if, in the short or long term, the new land use is an enhancement to the area's land use patterns and provides offsetting benefits such as improved housing conditions, more economic activity, or better overall operations. The City should also consider whether the new use will be exposed to unacceptable impacts from pre-existing uses that are not likely to phase out in the near future. Such	Planning Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy

	reviews should continue to occur as part of the public review process, affording residents, property owners and business operators an opportunity to present relevant information to decision-makers. Conditions of approval that serve to mitigate specific impacts should be required.			
4.3: Some public or private projects which might be implemented under the proposed General Plan Update could result in changes in existing land use and circulation patterns which could result in a physical division of existing neighborhoods or circulation patterns.	4.3: Individual projects that involve major changes to circulation patterns for pedestrians and vehicles, for example intersection realignment, a new street, or large scale public land uses should be subject to public review and input, with particular attention paid to the effect on the established community. In addition, project-level environmental review may be required. The City should include appropriate conditions of approval to address the identified impacts of individual projects.	<p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	Final Inspection / Certificate of Occupancy

Visual Quality				
<p>5.1: Implementation of the General Plan Update could result in the obstruction of vistas and views from scenic roadways, major roadways, and public and private properties. Intensified development could create localized barriers to views of the hills, Bay, and other visually attractive areas.</p>	<p>5.1a: New development would continue to be subject to Site Plan Review, Conditional Use Permits, and Variances according to existing zoning procedures. Particular attention to new buildings and taller buildings with the potential to be highly noticeable from scenic roadways should be required to provide a high degree of design quality. Requests for conditional use permits and variances should be subject to redesign or conditions of approval to mitigate significant impacts.</p>	<p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	<p>Final Inspection / Certificate of Occupancy</p>
	<p>5.1b: Public projects such as roadway widening, curb/gutter/sidewalk, drainage and utilities, and public buildings and open spaces should be planned, designed and reviewed for potential project-specific impacts to scenic resources, such as tree rows and views to the hills. Appropriate mitigation should be incorporated to reduce impacts, including possible redesign or relocation of projects to balance the overall community objectives.</p>			

5.2: Implementation of the General Plan Update could result in the alteration of visual characteristics and qualities of the City, due to new private development, public infrastructure development, rehabilitation of existing properties, and related activities. Temporary construction-period activity could present an image of disheveled property, for example due to the storage of materials and equipment. Development could also result in the removal of features considered scenic, such as trees or characteristics buildings.	5.2: Private and public projects should be subject to Mitigation Measure 5.1, with an emphasis on consistent development patterns, architecturally distinct structures, mature vegetation, and natural open space.	See Mitigation Measure 5.1	See Mitigation Measure 5.1	See Mitigation Measure 5.1
5.3: Private development and public projects undertaken in conformance with the General Plan could result in increased light and glare in the area, due to general development, signage, outdoor lighting, street lighting, reflective materials, and other sources.	5.3: Design review and other discretionary approval for public and private projects should include consideration of potential light and glare impacts, and should include shielding and cutoff features for outdoor lighting for neighboring land uses (particularly residences), design revisions, or other means of reducing impacts to the extent feasible.	<p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	Final Inspection / Certificate of Occupancy

Transportation				
6.1: Traffic in the City is expected to increase as a result of continued development allowed by the General Plan, which could result in traffic levels on some roadway segments or at some intersections which exceed established level of service standards.	6.1: The Draft General Plan Update includes comprehensive policies and strategies that address regional and local traffic through a coordinated effort to provide roadway improvements, transit service, encourage bicycling and walking, carpooling, traffic calming, and land use strategies to reduce private auto use.	Planning Division Staff Engineering Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division Engineering Division (Through conditions of approval and inspections)	Final Approval / Inspection
Noise				
7.1: Construction within the City in accordance with the General Plan Land Use Map could result in a temporary increase in existing noise levels that would be noticeable and significant, and could exceed established noise level standards.	7.1: The City should require reasonable construction practices for public and private projects that could affect sensitive receptors, including limiting construction hours to avoid early morning and evening activity, muffling and properly maintaining construction equipment used at project sites, limiting the amount of time equipment is allowed to stand idle with the engine running, and shielding construction activity and equipment to the extent practicable.	Planning Division Staff Building Division Staff Engineering Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division Building Division Engineering Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy

7.2: General activity at residential, commercial, public and other facilities could result in an increase in the noise level exposure on sites throughout the City.	7.2: The City of Hayward should continue to review projects for potential impacts (including impacts from existing or planned neighbors) as part of its development review process, and should require mitigating measures such as setbacks, site plan revisions, operational constraints, buffering, and insulation.	Planning Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy
7.3: Implementation of the proposed General Plan Update could lead to new development in areas where the ambient noise levels are or will be in excess of acceptable levels.	7.3: The City should require a project-specific review of proposed development projects that are located along a major roadway to determine if noise intrusion will be a significant issue for residents or employees, and should require appropriate measures such as setbacks, soundwalls, and structural measures to reduce the interior and exterior noise levels to an acceptable level. Noise-sensitive public projects, such as parks, also should be evaluated for noise impacts and developed accordingly, by locating less sensitive uses such as ballfields close to the noise source, and sensitive areas such as picnic grounds and children's play areas further from the noise source.	Planning Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy

7.4: Implementation of the proposed General Plan Update could result in increased activity along local and arterial streets, which could adversely affect existing residents.	7.4: Incremental traffic generated by new development should be used as part of a screening analysis for proposed projects, to determine if the project will contribute a significant amount of traffic noise to the existing area. In cases where the screening analysis is inconclusive, field measurements along the roadways near individual development projects should be conducted. If it is determined that the proposed development will result in a substantial increase in ambient noise levels along nearby roadways, it should be the responsibility of the City of Hayward and project applicants to identify and implement noise abatement measures which would effectively mitigate project-related noise effects on a site-specific basis. Such measures could include the installation of noise buffers (such as berms or sound walls) and increased setbacks for any sensitive receptors which may be proposed in the vicinity of such roadways.	Planning Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy
7.5: Existing and future residential development near the train tracks through the City could be exposed to high noise levels, which can have a deleterious effect on property values, personal health, and enjoyment of the area.	7.5: See Mitigation Measure 7.3.	See Mitigation Measure 7.3.	See Mitigation Measure 7.3.	See Mitigation Measure 7.3.

7.6: Railroads, trucks and buses may induce ground vibration in local areas within the City.	7.6: New development near railroad rights of way where vibration is suspected to be a problem should be evaluated for potential vibration impacts, and should be designed according to engineering recommendations, which may include excavation and compaction of soils, special foundation design, and structural design to reduce the vibration.	Planning Division Staff Engineering Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division Engineering Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy
Air Quality				
8.1: Dust and diesel exhaust generated by equipment and vehicles operating at development sites during construction could result in a temporary adverse impact on local air quality.	8.1: Each project applicant shall be required to comply with all applicable City regulations and operating procedures prior to issuance of building or grading permits, including standard dust control measures. The effective implementation of the applicable dust control measures would reduce the temporary air quality impacts associated with construction dust.	Planning Division Staff Engineering Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division Engineering Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy

Geology, Soils and Seismicity				
<p>9.1: The ground surface along fault traces can be gradually offset (at a rate of one-half inch or so per year) due to creep along the fault, and can be suddenly offset (horizontally and/or vertically) up to several feet due to a major earthquake, which will damage roads and buildings and can break pipes or other underground utilities.</p>	<p>9.1: New development and major rehabilitation projects should continue to be required to comply with the regulations in force within the Alquist-Priolo (Earthquake Fault Hazard) Special Study Zone, which require that properties within the potential fault rupture hazard area be studied (usually by excavating a trench perpendicular to the suspected fault line), that the specific location of a fault trace be found or disproved for an individual property, and that habitable structures must be located a sufficient distance (usually 50 feet) from the trace to avoid direct impacts of surface fault rupture.</p>	<p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	<p>Final Inspection / Certificate of Occupancy</p>
<p>9.2: Strong and very strong ground shaking is expected to occur within the City during the 20-year implementation period in the event of a major earthquake on the regional fault system, including the Hayward Fault. Such ground shaking is expected to cause severe damage to (or collapse of) buildings or other structures, and may result in significant economic loss and/or endanger the health and welfare of persons within the City.</p>	<p>9.2: The effects of ground shaking on structures and other improvements which may be proposed under the General Plan should be reduced by earthquake-resistant design in accordance with the latest editions of the Uniform Building Code and the California Building Code. The potential effects of ground shaking on existing structures should be evaluated by engineering studies as part of major rehabilitation projects. Where studies indicate that buildings may be subject to significant damage during earthquakes, the structures can be retrofitted for seismic resistance.</p>	<p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	<p>Final Inspection / Certificate of Occupancy</p>

9.3: Seismically-induced ground failures, which are secondary seismic effects related to soil, bedrock and groundwater conditions, could occur near buildings or other facilities, resulting in injury to persons and significant economic loss due to structural damage as a result of differential settlement, liquefaction, landslides, slumping, and subsidence.	9.3: Geotechnical evaluations should be required for developments proposed in areas suspected of having high or very high potential for seismically-induced ground failure. Common measures for mitigating these hazards include over-excavation and recompaction of foundation soils, densification of site soils, or providing a mat or other type of reinforced foundation, and avoiding landslide-prone areas and areas with other severe constraints.	Planning Division Staff Engineering Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division Engineering Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy
9.4: The City includes a broad variety of soils types, some of which are highly susceptible to expansion, which may shrink or swell as a result of seasonal or human-made soil moisture content changes, which can damage structures and other improvements and utilities.	9.4: The expansion potential for any clayey materials encountered should be determined on a project-specific basis per ASTM D-4829, Standard Test Method for the Expansion Index of Soils. Highly expansive soils under new buildings and utilities should be removed or amended, and compacted to provide a stable foundation. Surface water should be drained away from the building to minimize the potential for shrink-swell action. To ensure uniform characteristics in areas of low strength soils, and to obviate any potential for differential settlements, site preparation (consisting of over excavation and recompaction of the near-surface soils) may be required prior to placement of new fills, pavements, slabs, and structures, subject to review during grading.	Planning Division Staff Engineering Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division Engineering Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy

<p>9.5: Landsliding may occur in areas where slope gradients exceed 50 percent, or where grading associated with development will produce steep cut or fill slopes and/or undermine adjacent hillsides. Slopes between 30 percent gradient and 50 percent gradient underlain by cohesionless soils (sand) may experience differential settlement or downslope creep.</p>	<p>9.5: Because of the potential for landsliding or soil creep on steep slopes, a geologic evaluation by a registered geologist shall be prepared for any development planned within 200 feet of areas greater than 50 percent slope as shown on USGS topographic maps. Any structures situated on slopes greater than 30 percent gradient should incorporate geotechnical recommendations regarding foundations, retaining walls, and grading limitations derived from a site-specific geotechnical investigation.</p>	<p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	<p>Final Inspection / Certificate of Occupancy</p>
<p>9.6: The development of relatively undisturbed portions of the City and the development of hillside urban areas would remove vegetation and disrupt the soil surface horizon in areas where soils may be susceptible to wind and water erosion. Sediment blown from exposed soils could damage other structures and vegetation, and would be a nuisance or hazard if it accumulates in adjacent areas and storm drainage systems. Removal of soils by wind or water can also undermine buildings, roads, and other development, resulting in significant economic loss.</p>	<p>9.6: During construction, efforts should be made to keep the disturbance of existing vegetation to a minimum. This can be accomplished primarily by keeping construction machinery off of established vegetation as much as possible, especially on the upwind side of the construction site. Specific access routes should be established at the planning phase of the projects, and limits of grading established prior to development should be strictly observed. In addition, mechanical measures, such as silt fences and straw bales, should be used to reduce soil movement, in accordance with Best Management Practices.</p>	<p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	<p>Final Inspection / Certificate of Occupancy</p>

Hydrology and Water Quality				
10.1: Development anticipated in the City in conformance with the General Plan could entail construction activity which could be expected to have short-term, temporary adverse effects on local water quality, such as from erosion and siltation, illicit disposal of debris, and wash water from construction vehicles and equipment.	<p>10.1: Detailed plans for erosion and sediment control during and after construction should be prepared by development project proponents and approved by the City of Hayward prior to the issuance of a grading permit for any proposed development project. Such plans should include a schedule for the construction of erosion and sediment control structures which ensure that all erosion control will be in place by a specified time before construction begins.</p> <p>Grading should neither be initiated nor continued during the winter rain period between October 15th and April 15th unless approved by the Director of Public Works based on evidence of an effective erosion control plan.</p> <p>Grading and building permits should include requirements that Best Management Practices be adhered to.</p>	<p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	Final Inspection / Certificate of Occupancy
10.2: Development anticipated under the General Plan Update would be expected to result in localized modifications in existing drainage patterns, and an increase in the amount of stormwater runoff.	10.2: Major development projects should provide a storm drainage report including calculations of hydrology and hydraulics to determine adequacy of both privately- and publicly-managed systems to accept the increased runoff. Site-specific mitigation measures may be required	<p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p>	<p>Planning Division Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	Final Inspection / Certificate of Occupancy

	<p>to upgrade the City and / or County flood control system, if necessary.</p> <p>Storm drainage calculations should be required for all storm drains and overland flows. Drainageshed maps should be included that show all upstream acreages and run-off coefficients for each tributary area. Overland flow paths and site release points should be clearly identified.</p> <p>The on-site drainage facilities, such as catch basins and storm drain pipes, should be designed to convey runoff from a 10-year frequency storm.</p> <p>Plans for development projects should identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off.</p>	(Through regular permit processes - staff review, public hearings, and conditions of approval)		
10.3: Existing development, vacant properties, and new development could be inundated by flood waters, presenting a hazard to persons and property.	10.3: The City should work in cooperation with other agencies such as FEMA and the Alameda County Flood Control District to prepare plans and develop projects that will alleviate potential flooding in the newly mapped flood plain areas.	<p>Planning Division Staff Engineering Division Staff</p> <p>Planning Commission City Council</p>	<p>Planning Division Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	Final Inspection / Certificate of Occupancy

	The City should require all new development in the areas presently mapped as potentially subject to flooding in the 100-year event to provide evidence of sufficient flood control protection and compliance with applicable regulations of the Alameda County Flood Control District and FEMA.	(Through regular permit processes - staff review, public hearings, and conditions of approval)		
Biological Resources				
11.1: Public and private development activities in the City could result in the reduction of habitat and direct removal of special status plant and/or animal species, including mammals, birds, amphibians, fish, insects and invertebrates, which have previously been unidentified at land and/or water areas.	11.1: Development of undisturbed portions of public and private project sites should be subject to sensitivity analyses, field surveys and mitigation (as required), conducted by qualified professionals according to established protocols in consultation with the appropriate regulatory agencies. Particular areas to evaluate include waterways, open grasslands, relatively undisturbed urban land, and vegetative cover along waterways.	Planning Division Staff, in consultation with other regulatory agencies Engineering Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	Planning Division California Department of Fish and Game U.S. Fish and Wildlife Service Engineering Division (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy
11.2: Some portions of the City which may be developed in conformance with the General Plan land use map may be adjacent to creeks which provide riparian habitat values. Development of such sites	11.2: Where development is proposed at sites within the City adjacent to natural channel creeks, the potential effects of the proposed development on riparian habitat should be evaluated as part of the use	Planning Division Staff, in consultation with other regulatory agencies	Planning Division California Department of Fish and Game	Final Inspection / Certificate of Occupancy

may have the potential to damage sensitive riparian habitat areas.	permit, building permit, or other approval process to determine the potential site-specific impacts associated with such development. All such development should be required to comply with the City's setback provisions, and to enter into a Streambed Alteration Agreement with the California Department of Fish and Game (if required).	Engineering Division Staff Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)	U.S. Fish and Wildlife Service Engineering Division (Through conditions of approval and inspections)	
11.3: Public and private development projects as a result of continued development in the City could have an adverse effect on wetland areas, as noted above for habitat and riparian areas.	11.3: See Mitigation Measures 11.1 and 11.2, above.	See Mitigation Measures 11.1 and 11.2, above.	See Mitigation Measures 11.1 and 11.2, above.	See Mitigation Measures 11.1 and 11.2, above.
Public Services and Utilities				
12.1: New development anticipated as part of the City's continued growth would result in an increased demand for school facilities within the City. The General Plan Update could have various community-wide effects that could have an impact on school sites, such as increased traffic, noise, and general hazards described elsewhere in this EIR. The increase in demand would be met by the responsible school district through the construction of new school facilities	12.1: School districts should plan and construct new facilities based on long-range planning and growth projections, and according to State land use and environmental law using statutorily established funding mechanisms. The District should pursue all available means of funding for expansion of existing schools and development of new schools to meet the community's needs, according to adopted Master Plans and Facilities Studies.	Planning Division Staff, in consultation with other agencies Planning Commission City Council (Through regular permit processes - staff review,	Planning Division Hayward Unified School District New Haven Unified School District (Through conditions of approval and inspections)	Final Inspection / Certificate of Occupancy

(most likely by adding structures on existing school grounds) which, depending on the characteristics of each proposed facility and site, could result in adverse physical effects on the environment.		public hearings, and conditions of approval)		
12.2: New development anticipated as part of the City's continued growth would result in an increased demand for parks, recreational facilities and open space in the City. This increase in demand could be met through the construction of new parks and recreational facilities (or the expansion of existing recreational facilities) which, depending on the characteristics of each proposed facility and site, could result in adverse physical effects on the environment.	<p>12.2: Lead Agencies, including HARD and EBRPD, should conduct appropriate planning and environmental studies for the acquisition, construction and operation of new parks and recreational facilities (or the expansion of existing recreational facilities) to meet an increased demand for such facilities, consistent with State law.</p> <p>Large development projects should be coordinated with HARD to determine if it is feasible to incorporate park and recreation facilities. Private land dedications may be credited against the standard impact fees, public park and recreation projects may be jointly funded by the City and HARD, or facilities may be provided in other ways that meet the trail, parkland, and recreation facility needs of the City.</p>	<p>Planning Division Staff, in consultation with other agencies</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division</p> <p>Hayward Area Recreation and Park District</p> <p>East Bay Regional Park District</p> <p>(Through conditions of approval and inspections)</p>	Final Inspection / Certificate of Occupancy

Hazards and Hazardous Materials				
13.1: As new or more intensive residential uses are introduced near existing commercial activities (which may be non-conforming but are capable of continuing operation for some time as pre-existing uses), then additional residents could be exposed to hazardous materials that are in storage, use, or disposal.	13.1: The City should review sites listed pursuant to Government Code section 65962.5 for proper use permits and other regulatory compliance, and undertake code enforcement as necessary to ensure the safety of existing and new development. Proposed land uses that pose potential threats to the health and safety of neighboring uses should be scrutinized as part of the Conditional Use Permit review procedure, and should be conditioned to ensure full compliance with the law. New residential and similar development, regardless of General Plan land use designations, should be scrutinized for possible exposure to hazardous materials, and should be sited and designed accordingly.	<p>Planning Division Staff, in consultation with other regulatory agencies</p> <p>Engineering Division Staff Hazardous Materials Division Staff</p> <p>Planning Commission City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division California Department of Toxic Substances Control</p> <p>Engineering Division Hazardous Materials Division</p> <p>(Through conditions of approval and inspections)</p>	Final Inspection / Certificate of Occupancy
Cultural Resources				
14.1: Development according to the proposed General Plan Update could result in the alteration of historical resources which have not yet been surveyed or formally protected.	14.1: The City should review the HP ordinance including the evaluation criteria, and conduct the necessary surveys, recording, and preservation of historic resources, and implement development review procedures according to the policies and strategies outlined in the draft General Plan Update.	<p>Planning Division Staff, in consultation with other regulatory agencies</p> <p>Planning Commission City Council</p>	<p>Planning Division California Office of Historic Preservation</p> <p>(Through conditions of approval and inspections)</p>	Final Inspection / Certificate of Occupancy

		(Through regular permit processes - staff review, public hearings, and conditions of approval)		
14.2: During construction that could occur as a result of the General Plan Update, archaeological resources may be uncovered and damaged if not properly recovered or preserved.	14.2: In the event that any archaeological resources are uncovered during future construction activity associated with the implementation of the General Plan Update, there should be no further excavation or disturbance of the site or any nearby area until the find has been evaluated by a qualified archaeologist, and appropriate site-specific mitigation has been identified to protect, preserve, remove or restore the artifacts uncovered.	<p>Planning Division Staff, in consultation with other regulatory agencies Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Planning Division</p> <p>California Office of Historic Preservation Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	Final Inspection / Certificate of Occupancy
14.3: During excavation for public and private projects, it is possible that archaeological human remains may be uncovered.	14.3: In the event that any human remains are uncovered during future construction activity, there should be no further excavation or disturbance of the site or any nearby area until after the Alameda County Coroner has been informed and has determined that no investigation of the cause of death is required or such	<p>Planning Division Staff, in consultation with other regulatory agencies</p> <p>Engineering Division Staff</p>	<p>Planning Division</p> <p>California Office of Historic Preservation California Native American Heritage Commission</p>	Final Inspection / Certificate of Occupancy

	<p>investigation has occurred and appropriate actions have been taken, and (if the remains are determined to be of Native American origin) the descendants from the deceased Native American(s) have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.</p>	<p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>	<p>Alameda County Coroner</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p>	
Population, Housing and Employment				
15.1: Implementation of the proposed General Plan Update is expected to result in growth in residential, commercial and industrial areas.	15.1: None Required. The proposed General Plan Update will not result in substantial changes to the growth projections contained in the prior General Plan or Projections 2002.	None Required	None Required	None Required
15.2: Development or reuse of property that is presently occupied with housing or commercial / industrial uses could displace existing residents or employment / jobs.	15.2: None Required. Infill development would typically occur on vacant and underutilized land, and would therefore result in an overall net increase in the number of housing units and employment and generally improve the quality of housing and employment, since infill would most likely occur where the economic use of existing development has been exceeded and dilapidation may have begun.	None Required	None Required	None Required

Alameda County Child Care Planning Council

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December 7, 2001

Mr. Gary Calame
Senior Planner
City of Hayward
777 B Street, First Floor
Hayward, CA 94541-5007

Dear Gary:

Thank you for including child care provisions in the Community Facilities section of the Draft Hayward General Plan. As we discussed last week, the inclusion of these basic policies is an important first step. We would like also like for you to consider incorporating some additional language that will provide more clarity and direction to City planners without being overly prescriptive.

Our recommendations are based on our review of many City General Plan provisions related to child care across California, and our experience with several other cities in Alameda County which are developing stronger policies which support child care planning in their General Plans. Child care planning is essential to maintaining a City's economic vitality and supporting its workforce, and laying the groundwork in the General Plan now will save time-consuming revisions to it later.

1) Make child care planning language more substantive in Number 3, Items 1 and 2

A) Number 1: After "Evaluate" insert "*and pursue*" ways....to make child care more affordable...etc.

B) Number 2: After "Consider" insert "*and pursue*" modifications to existing procedures and regulations that would promote the development of child care centers....etc.

(Even if the City is required to pursue a strategy, there is latitude on what that strategy might be.)

2) Add a specific reference to coordinate planning for child care when planning redevelopment

Augment #3 with the clause: "and review development plans to identify how proposed activities will affect child care demand and supply in redevelopment areas."

3) Direct Hayward to develop a child care master plan

Many of the provisions we have previously suggested, such as reviewing surplus property for child care suitability, and expanding infant care, could be incorporated in a child care master plan for Hayward which combines land use and economic

development planning with child care planning. San Leandro has incorporated this provision in its General Plan, and we are confident that with the support of the active Hayward child care community it is a viable and useful strategy.

- 4) **Incorporate a reference to the need to consider child care planning in mixed use development planning in the relevant General Plan section.**
- 5) **Incorporate language related to the need to consider the child care infrastructure in major new transportation planning in the relevant General Plan section (Circulation?):**
"Hayward shall encourage the incorporation of child care in major transportation planning, and consider encouraging the siting of child care near transportation hubs in large commercial and residential developments."

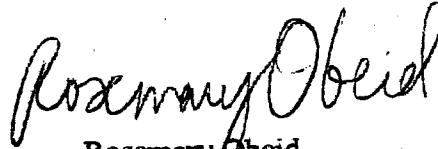
Thank you for considering these proposed modifications. We will follow up with you to check on the progress of the Draft revisions and to determine key opportunities for parents and child care providers to engage in the process to assure that meaningful child care planning provisions are included in the final General Plan. Please feel free to contact either one of us if you have any questions or concerns in the meantime.

Sincerely,



Ellen Dektar

Alameda County LINCC Project



Rosemary Obeid

4 C's of Alameda County

file

Hayward Arts Council
22654 Main street
Hayward CA, 94541
January 2, 2002

RECEIVED

JAN _ 4 2002

Department of Community and Economic Development
Planning Division
777 B Street
Hayward CA 94541-5007

PLANNING DIVISION

Attention: Gary Calame, Senior Planner

The existing General Plan states:

"The HAC and the Sun Gallery are providing oversight and space for cultural offerings as well as support to local and area artists. "
"Comments received from community residents express support for greater coordination and promotion of various cultural events scheduled through out the city and the establishment of a performing arts center in the Downtown area"

Proposed: Under Multipurpose Facilities and Cultural Opportunities

"Support the expansion of cultural facilities and amenities such as the Little Theatre, Sun Gallery and the Hayward Historical Society that enhance the City's image"

I suggest revising the above statement to read as follows:
(The relevant change is underlined below.)

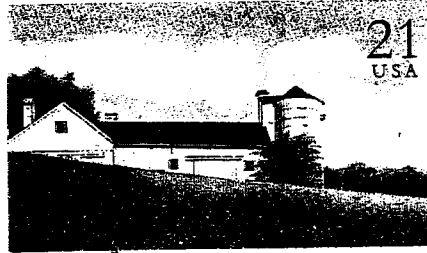
Support the expansion of cultural facilities and amenities such as the Little Theatre, Sun Gallery, the Hayward Arts Council, and the Hayward Historical Society that enhance the City's image.

I also would hope that the City would support an Art Center that would include many different facets of the art community. This facility should provide a place where local art groups could meet, a space for cooperative galleries of local artists, a space where local art groups could exhibit their work and a program that would foster competence and creativity in writing. I hope that any proposed performing arts center would be able to include programs of drama, music, and dance.

Sincerely, *Clarice Roberts*

Clarice Roberts, President, Hayward Arts Council

Charlie Cameron
P.O. Box 55
Hayward, Ca. 94543



Handwritten:
1/27/02
12/30/2001
10 A.M.

Mr. Gary Calame, Sr. Planner
Planning Div. Community & Eco. Devel.
City of Hayward Dept.
777 B Street
Hayward, Ca. 94541

Please extent their current RT 5 to serve the area
bet Union City Bart & South Hayward Bart station
via the Greater Fairway Park-Tamarack St, Union City
area V.T.Y. Charlie Cameron

Handwritten signature: Charlie Cameron

Handwritten: BECAUSE THE FARE TOO EXCESSIVE
TO THE
NEIGHBORHOOD
Dec. 29, 2001

Dear Mr. Calame:

Item 1. The corrections/Comments I did send in
also reflect the same info that should be corrected
in the DEIR, State Clearinghouse # 2001072069
on Pgs 6-10 & 6-11. *Handwritten:* TOTHEAS - ?

2. I do hope to make both Public Hearings on
the General Pland for the Great City of Hayward, Ca.
3. As I said & may be "you" can/could address
how the neighborhood plan got missguided as in the
Fairway Park Plan that got approved in 1996 & when
it sugested busses should be removed from the *Handwritten:* 1995?
neighborhood by some 12 people & some of thoes people
did not get to see the bus removal from the area in/
since A/C Transit took out the RT 21 on 12/17/2000
JUST TELL ME HOW WE WENT FROM SHOULD TO NOW THE
CURRENT STATE TO GET UNION CITY TRANSIT TO NOW

AC Transit

Alameda-Contra Costa Transit District

1600 Franklin Street, Oakland, California 94612 (510) 891-4777

RECEIVED

JAN 3 2002

PLANNING DIVISION

April 25, 2001

Charlie Cameron
P.O. Box 55
Hayward, California
94543

Dear Mr. Cameron:

Thank you for your letter and petition of January 4, 2001 concerning our service in the Central Alameda County Region. Your comments and petition in regards to the Fairway Park Neighborhood are noted as part of our Service Development record. We will consider your comments and recommendations as part of any future plans in that area.

If you have any questions and / or additional comments please contact Tony Divito, Senior Transportation Planner at (510) 891-7132, or transmit e-mail messages to tdivito@actransit.org.

Again, thank you very much for your concerns and comments.

Sincerely,

Kathleen Kelly
Deputy General Manager
Service Development

CC:
Tony Divito

TO: UNCLUTTERED
ALREADY LIKE SIGNED
BY ACT TRANSIT
BUS SERVICE ONLY
DAYS
DUE
SINCE
THE
SINCE REVISIONS
1995-1996

* NOTE: HAZARD
THREE SCHOOLS
DROPOFF JOIN GARDEN
THE GARDEN SOUTH HAYWARD AREA

THE GARDEN SOUTH HAYWARD AREA

① WE NEED BUS SERVICE IN
THE GARDEN FAIRWAY PARK AREA -
TAMPA AVE ST, IN UNION CITY CA.
FORMERLY SERVED BY ACT TRANSIT
② NOW THREE SCHOOLS
OPERATED BY NEW HAVEN UNIFIED SCHOOL
DISTRICT, & ① SCHOOL (TARREVIEW) WOULD BE
SERVED BY UNION CITY TRANSIT
SERVING THIS AREA BY THE
BUS FROM VIA UNION CITY TRANSIT
HAYWARD STATION & HENRY ST.

12/29/2001

THIS PAGE IS CONTINUED

NOTE (1) OFFICE TOLLING CAMPUS, IN +
AT ITS PARKING SITE ON NEWARK, CA,
NOTICE THE OFFICE TOLLING, NEWARK, CA,
IS SUBJECT TO LYDIE TO ANOTHER LOCATION
ONE of TWO LOCATIONS IN THE CITY of
NEWARK, CA,

NOTE (2) ALL GAZETTE SOUTH HAWAII
(FAMILY PARK USE SCHOOL KIDS) +
SESSION 2012, TOLLING WITH THIS NEW
TOLLING WITH ONE BUS KIDS MEET
TO THE SCHOOL

(3) HRS. of SERVICE TOLLING 30 DAY
A WEEK KIDS LIKE THE TOLLING (3)
+ THE BUS TO + FROM UNION CITY BART STATION
ON UNION CITY, CA, ON THIS

(3A) I WILL BE GET A PETITION UP TO
SUPPORT THIS SOON CAN PLEASE COUNT ON
YOUR SUPPORT ON ANOTHER ISSUE TO GET A/2
TRANSFER TO RUN EXPRESS ON A BUS THE
R. 214 TO SEVER UNION CITY BART STATION TO
SERVE THE JOB (INDUSTRIAL) AREA
WEST NEWARK, CA, + WEST FAIRVIEW, CA,
THIS WOULD HELP
ALL SOUTH HAWAII
I.S. PLEASE OUT - ALL SOUTH HAWAII
KIDS GET TO GO TO
KEEP TO GO TO
P.O. BOX 55
OFF HAWAII, CA 9454

USE
WONT
CONNECTION
& HESPERIAN

LINE ROUTES
(S, SA, SB)

and the extension to the San Francisco International Airport. However, these new services are expected to put additional pressure on the BART parking supply.

AC Transit

AC Transit provides local and express bus service in Alameda and Contra Costa Counties. Hayward is served by 18 of AC Transit's local bus routes. These routes operate at various times and with various frequencies. Sixteen routes operate out of the Hayward BART station and eight operate out of the South Hayward station. In addition, Transbay Route S and East Bay Express Route 36X operate along Hesperian Boulevard. Boardings on these routes average more than 36,000 passengers per weekday.

In the past, AC Transit encountered difficulty in obtaining sufficient revenue to ensure adequate transit service for Hayward. However, the reauthorization of Measure B provided significant new funding for transit, especially transit in central Alameda County. The City is participating in the Central County Transit Study, which is anticipated to provide new and improved transit service throughout the area. Service changes may be implemented by the summer of 2002. One major schedule change that has already been implemented is the revised Route 83/86 bus, which links Hayward BART to South Hayward BART and provides enhanced transit service to much of the "welfare-to-work" population. This service came about as a result of a cooperative effort between the City, AC Transit, Hayward Chamber of Commerce, South Hayward Neighborhood Collaborative, and businesses in the industrial areas.

Major transit service design concepts that have been incorporated as part of the proposed transportation improvements in the Circulation Element include the following:

- * 15-minute service during peak hours on Mission Boulevard, Hesperian Boulevard and Winton Avenue;
- * Basic 30-minute service during peak hours on approximately half-mile spacing throughout the area;
- * Enhanced coverage, including 30-minute headway service, in the industrial area on both Clawiter Road and Industrial Boulevard;
- * Reorientation of bus services to serve the new BART stations; and
- * Express commute services in I-880 corridor areas not convenient to BART service.

The Central County Transit Study is looking at some of the above issues as it prepares its recommendations.

In addition to the above features, the Circulation Element is proposing that enhanced express bus service be established across the San Mateo Bridge between the Castro Valley BART station and major Peninsula destinations. The proposed express bus service would link Castro Valley, Hayward, Foster City, Hillsdale, and other points on the Peninsula, and would provide for bus

2. Consider alternatives to street widening that balance the needs of pedestrian and bicycle movements with that of vehicles.
3. Focus improvements on arterials with transit service to preserve operating speeds.
4. Add needed traffic signals and coordinate signals to optimize traffic flow.
5. Review and comment on any development in the county or adjoining cities which might add to Hayward's traffic problems; work to reduce negative effects.

12. Improve Access to the Downtown and Other Major Activity Centers

1. Improve access to and circulation within the Downtown area, consistent with the Downtown Design Plan.
2. Improve transit links from the BART stations to other major activity centers such as Southland Mall and California State University-Hayward.
3. Promote shuttle service between the Amtrak and BART stations and other focal points in the Downtown area.
4. Improve access to and circulation within the Industrial Corridor, especially with regard to public transportation.

13. Provide for Future Parking Demand in Ways that Optimize Mode Choice

1. Consider reduced parking for new residential developments that fulfill elderly, disabled, or other special housing needs and/or are located near public transit.
2. Encourage developers/employers to offer transit passes or other transit enhancements to offset some parking requirements, pursuant to provisions of the Parking Ordinance.
3. Coordinate with other public and institutional parking suppliers (e.g., BART, Chabot College, Kaiser) in the provision of parking, parking charges and preferential parking.
4. Consider consolidation and expansion of downtown parking with multi-level parking structures.
5. Consider park-and-ride lots for bus patrons and for carpooling centers.

How who, will pay for, OPERATE & MAINTAIN
FREE
3-27 Times -
Circulation
OR PLANNING

PROJECT DESCRIPTION

affected by projects developed and actions taken as part of implementation of the Plan. Those agencies will also rely on this EIR to the extent feasible.

They include (but are not necessarily limited to):

- Hayward Unified School District
- New Haven Unified School District
- Alameda County Flood Control District
- East Bay Municipal Utility District
- Mt. Eden Water District
- Oro Loma Sanitary District
- San Lorenzo School District
- East Bay Regional Park District
- Hayward Area Recreation and Park District
- Bay Conservation and Development Commission
- Caltrans (State Department of Transportation)
- State Office of Historic Preservation
- State Division of Mines and Geology
- State Department of Conservation
- State Department of Fish and Game
- State Department of Toxic Substances Control
- Regional Water Quality Control Board
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- U.S. Geologic Survey
- Federal Aviation Administration
- Alameda County Airport Land Use Commission
- Pacific Gas and Electric Company
- Bay Area Air Quality Management District
- AC Transit
- BART District
- Alameda County Congestion Management Agency
- Metropolitan Transportation Agency
- Alameda County Transportation Improvement Authority
- Association of Bay Area Governments

Other Permits and Approvals

The Responsible and Trustee agencies listed above may have jurisdiction over certain actions of private and public entities during the implementation of the Plan. Some of the permits that may be required include grading and erosion control, water quality, utility construction

REFERENCES

COUNTY OF ALAMEDA

Alameda County Airport Land Use Commission, *Airport Land Use Policy Plan*, adopted July 16, 1986.

Alameda County Flood Control and Water Conservation District, *Zone Improvement Index Maps*, November 1986.

Alameda County Planning Commission, *Castro Valley Plan*, adopted April 4, 1985.

Alameda County Planning Department, *General Plan for the Central Metropolitan, Eden and Washington Planning Units*, adopted January 13, 1981

Alameda County Planning Department, *Unincorporated Eden Area (portion) Plan: Part of the Alameda County General Plan*, adopted November 3, 1983.

SPECIAL DISTRICTS

AC Transit, *AC Transit Facts and Figures*, October 25, 1999.

AC Transit, Route Map.

DATE - ? GET DATE ? 12.0. + 7.1.

Association of Bay Area Governments, *Projections 2000*.

California State University at Hayward Home Page, www.csu Hayward.edu, April 7, 2000.

Castro Valley Unified School District, *Five Year Facilities Plan: 2000-2005*, 2000 Revision.

Chabot College Home Page, www.clpccd.cc.ca.us/cc/, January 13, 2000.

East Bay Municipal Utility District, *1999 Annual Report*.

East Bay Municipal Utility District, *Comments to Notice of EIR Preparation*, October 6, 2000.

East Bay Regional Park District, *Existing and Potential Parklands and Trails Map*, 1997.

East Bay Regional Park District, *Master Plan 1997*, adopted December 17, 1996.

VARNI, FRASER, HARTWELL & RODGERS

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

22771 MAIN STREET

P.O. BOX 570

HAYWARD, CALIFORNIA 94543-0570

(510) 886-5000

FAX: (510) 538-8797

January 11, 2002

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JAN 15 2002

PLANNING DIVISION

LIVERMORE OFFICE

2109 FOURTH STREET
LIVERMORE, CA 94550
(925) 447-1222
FAX (925) 443-7831

LIONEL A. RODGERS
(1942-1989)

JOHN S. HARTWELL
(1924-1993)

Ms. Barbara Sacks
1439 Almeria Drive
Hayward, CA 94544

Mr. Edward Bogue
729 Poinciana Street
Hayward, CA 94541

Mr. Jerry Caveglia
2647 Hillcrest Avenue
Hayward, CA 94542

Ms. Barbara Halliday
25164 Lindenwood Way
Hayward, CA 94545

Mr. Christopher Thnay
352 Bridgecreek Way
Hayward, CA 94544

Mr. Robert Williams
27734 Fallen Leaf Court
Hayward, CA 94542

Mr. Francisco Zermeño
P. O. Box 92
Mt. Eden, CA 94542

Gentlemen and Ladies:

Re: Initial 2002 General Plan Amendment
of the City of Hayward With Regard to Area 6

We represent Livermore Acres, Inc., the owner of the Valle Vista Skating Center on the east side of Mission Boulevard between Tennyson Avenue and Industrial Parkway. On January 24, the Planning Commission will be considering a General Plan Amendment with regard to the rear portion of our client's property. This property consists of approximately five (5) acres. At the present time, the property is used for the Valle Vista Skating Center. Immediately to the north of the property is a relatively new car dealership. To the south of the property are various commercial uses and the recently completed Sikh Temple.

Within the last six (6) months, we have submitted to the staff of the City a request by our clients to construct a 200-unit senior housing project on this property. We are enclosing with this letter copies of portions of the application which depict the general design and architecture of the proposed facility. We believe that the facility will meet all of the requirements of the City, in particular with regard to public health and safety and off-street parking. The studies that have been done to date would indicate there is a need for

January 11, 2002

this type of facility in Hayward. The facility will have a central eating area and many features, including a swimming pool, a health spa, a small store, a beauty parlor, a barber shop, etc. In addition, the facility would be served by a private bus system. It would seem that the proposed facility does meet many of the guidelines of the General Plan of the City of Hayward and that such a project at this location would be well received.

The present recommendation to the Planning Commission with regard to the pending General Plan Amendment would result in the rear portion of our client's property being generally planned for low-density uses. This type of a designation would be inconsistent with the project being proposed. In lieu of a General Plan designation of low density, we would ask that the Planning Commission consider and recommend to the City Council a designation of high density on our client's property. We would apologize in advance for any inconvenience this request might cause. In turn, we feel that this use at this location would be beneficial to seniors who would prefer to live in a facility which provided them with certain basic needs but, in turn, recognized their needs for mobility and independence. We will appear at your hearings with regard to the General Plan and would hope to be able to answer any questions you might have at that time.

Very truly yours,

VARNI, FRASER, HARTWELL & RODGERS

Anthony B. Varni

ABV/ch/14

Hayward Planning Commission.ltr

Enclosure

✓cc: Gary Calame
Client

FINAL ENVIRONMENTAL IMPACT REPORT

State Clearinghouse #: 2001072069

HAYWARD GENERAL PLAN UPDATE proposed by the City of Hayward

January 2002

prepared by Lamphier-Gregory
Urban and Environmental Planners
1944 Embarcadero, Oakland, CA 94606

Due to the length of the additional exhibits, they are not available for website viewing. The report, in its entirety, is available in the City Clerk's Office, Planning Division, and at the Main Library.